

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

DONNA CORBELLO)

Plaintiff(s),)

vs.)

THOMAS GAETANO DEVITO, et. al.,)

Defendant(s),)

CASE NO: 2:08-CV-0867-RCJ-PAL

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
NOV 28 2016	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

**REDACTED
VERDICT**

1
2
3
4
5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 **DONNA CORBELLO,**

8 Plaintiff,

9 vs.

10 **THOMAS GAETANO DEVITO et al.,**

11 Defendants.

12 2:08-cv-00867-RCJ-PAL

13 **VERDICT FORM**

14 WE THE JURY, having fully deliberated in this matter, have reached a unanimous
verdict as to Plaintiff's claims against Defendants and Defendants' affirmative defenses, as
follows:

15
16 1. Did Tommy DeVito grant Defendants an implied license to use the unpublished
autobiography *Tommy DeVito — Then and Now* in the creation of the *Jersey Boys* play?

17 Yes _____ No ✓

18 If you answered "Yes" to Question 1, STOP, have the Presiding Juror sign and date this
19 Verdict Form, and notify the bailiff that you have reached a verdict (do not tell the bailiff
what the verdict is). Otherwise, continue to Question 2.

20
21 2. Does the play *Jersey Boys* infringe Plaintiff Donna Corbello's copyright in the
unpublished autobiography *Tommy DeVito — Then and Now*?

22 Yes ✓ No _____

23 If you answered "No" to Question 2, STOP, have the Presiding Juror sign and date this
24 Verdict Form, and notify the bailiff that you have reached a verdict (do not tell the bailiff
what the verdict is). Otherwise, continue to Question 3.

3. Did the use, if any, of the unpublished autobiography *Tommy DeVito — Then and Now* in the play *Jersey Boys* constitute fair use?

Yes _____ No ✓

If you answered "Yes" to Question 3, STOP, have the Presiding Juror sign and date this Verdict Form, and notify the bailiff that you have reached a verdict (do not tell the bailiff what the verdict is). Otherwise, continue to Question 4.

4. What percentage of the success of the play *Jersey Boys* is attributable to infringement of the unpublished autobiography *Tommy DeVito — Then and Now?*

10 %

5. Which Defendants are liable for the infringement you found in Question 3? Select all that apply using an "X" in the appropriate place(s).

	Direct Infringement	Vicarious Infringement	Contributory Infringement
Michael S. David	X ^{fw}	X ^{fw}	
Marshall S. Brickman	X ^{fw}		
Eric S. Elice	X ^{fw}		
Des McAnuff	X ^{fw}		
DSHT, Inc.	X ^{fw}		
Dodger Theatricals, Ltd.	X ^{fw}		
Jersey Boys Broadway Limited Partnership	X ^{fw}		
JB Viva Vegas	X ^{fw}		
Skunk, Inc	X ^{fw}		
Getting Home, Inc	X ^{fw}		

Have the Presiding Juror sign and date this Verdict Form, and notify the bailiff that you have reached a verdict (do not tell the bailiff what the verdict is).

Dated this 28 day of November, 2016.

PRESIDING JUROR